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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/201,867	11/30/1998	YUTAKA TAKAMI	HIT2944	2148

24956 7590 07/29/2002

MATTINGLY, STANGER & MALUR, P.C.  
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ALEXANDRIA, VA 22314

EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 07/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/201867

Applicant(s)

Tskami

Examiner

Hass, G

Group Art Unit

3624

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 2/17/02
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 23-40 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 23-40 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1 7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Continued Prosecution Application(CPA)***

1. This action is provided in response to applicant's Amendment B(Paper #16) dated 7/17/02 and Continued Prosecution Application(Paper #12) dated 3/26/01.
2. Claims 23,36,37 were amended. New claims 38-40 were added. No claims were cancelled.
3. Claims 23-40 are pending.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claim 26 is rejected under 35 USC 102(b) as anticipated by Jones(US Pat. 5,623,547).
6. As per claim 26 Jones teaches a terminal device according to claim 23, further comprising a display device(Fig 1/1b/2b/3b)(col 5 lines 34-35) and an input-output device(col 5 lines 44-52).

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8.(AMENDED) Claims 23-37 as amended, are rejected under 35 USC 103(a) as unpatentable over Jones(US Pat. No: 5,632,547) in view of Shiobara(US Pat. No: 6,105,864) and further in view of Benton(US Pat. No: 4,454,414) as delineated in Paper #8 dated 10/24/00. Furthermore in the amended claims, Shiobara also teaches a control circuit controlling switching from a first path to a second path where said first external device is prevented from outputting data to the communication circuit(Fig 1/21/20/10-1/10-2/10-3)(Fig 3)(Fig 4/S109/S104)(Fig 8)(col 3 lines 14-59)(col 4 line 38-col 5 line 30). It would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara to teach part of the above. The motivation to combine is to teach a mechanism for providing a terminal device and terminal system which deals with electronic money and excels in operability and management of the funds as enunciated by Shiobara(col 1 lines 21-25). Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara and further in view of Benton to teach the above. The motivation to combine Benton with Jones in view of Shiobara is to teach a new and improved electronic funds transfer system as enunciated by Benton(col 2 lines 11-12).

9.(NEW)As per claim 38 Shiobara teaches a terminal device according to claim 23 wherein electronic money can be transmitted along a second path regardless of the operational state of the first external device (Fig 1/21/20/10-1/10-2/10-3)(Fig 3)(Fig 4/S109/S104)(Fig 8)(col 3 lines 14-59)(col 4 line 38-col 5 line 30). It would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara to teach part of the above. The motivation to

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combine is to teach a mechanism for providing a terminal device and terminal system which deals with electronic money and excels in operability and management of the funds as enunciated by Shiobara(col 1 lines 21-25). Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara and further in view of Benton to teach the above. The motivation to combine Benton with Jones in view of Shiobara is to teach a new and improved electronic funds transfer system as enunciated by Benton(col 2 lines 11-12).

10.(NEW)As per claim 39 Shiobara teaches a terminal device according to claim 36 wherein electronic money can be transmitted along a second path regardless of the operational state of the first external device (Fig 1/21/20/10-1/10-2/10-3)(Fig 3)(Fig 4/S109/S104)(Fig 8)(col 3 lines 14-59)(col 4 line 38-col 5 line 30).It would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara to teach part of the above. The motivation to combine is to teach a mechanism for providing a terminal device and terminal system which deals with electronic money and excels in operability and management of the funds as enunciated by Shiobara(col 1 lines 21-25). Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara and further in view of Benton to teach the above. The motivation to combine Benton with Jones in view of Shiobara is to teach a new and improved electronic funds transfer system as enunciated by Benton(col 2 lines 11-12).

11.(NEW)As per claim 40 Shiobara teaches a terminal device according to claim 37 wherein electronic money can be transmitted along a second path regardless of the operational state of the first external device (Fig 1/21/20/10-1/10-2/10-3)(Fig 3)(Fig 4/S109/S104)(Fig 8)(col 3 lines 14-

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59)(col 4 line 38-col 5 line 30).It would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara to teach part of the above. The motivation to combine is to teach a mechanism for providing a terminal device and terminal system which deals with electronic money and excels in operability and management of the funds as enunciated by Shiobara(col 1 lines 21-25). Furthermore, it also would have been obvious to one skilled in the art at the time of the invention to combine Jones in view of Shiobara and further in view of Benton to teach the above. The motivation to combine Benton with Jones in view of Shiobara is to teach a new and improved electronic funds transfer system as enunciated by Benton(col 2 lines 11-12).

***Conclusion***

**12. THIS ACTION IS MADE NON-FINAL.**

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13. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

GRA/July 24, 2002